

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Case No. 22-cr-137 (KMM/DTS)

Plaintiff,

v.

**PRELIMINARY
ORDER OF FORFEITURE**

JAMES CLAYTON WOLF,

Defendant.

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Indictment and the Plea Agreement entered into between the United States and Defendant James Clayton Wolf; and on the Court having found that certain property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) in conjunction with 28 U.S.C. § 2461(c), the United States has established the requisite nexus between such property and the offenses to which the Defendant has been found guilty,

IT IS HEREBY ORDERED that:

1. the United States' Motion for a Preliminary Order of Forfeiture (ECF No. 157) is **GRANTED**;

2. a money judgment forfeiture is entered against Defendant James Clayton Wolf pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) in the amount of \$19,673,794.00.

3. the following property is forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) in conjunction with 28 U.S.C. § 2461(c):

- a. All funds and holdings, with a last known balance of \$246,314.84, at Ameriprise Financial Services acct no. 185941812133;

- b. All funds and holdings, with a last known balance of \$177,814.91, at Ameriprise Financial Services acct. 205922610133;
- c. All funds and holdings, with a last known balance of \$925,138.03, at Ameriprise Financial Services acct. 363059080133;
- d. All funds and holdings up to \$2,118,347.53 at Ameriprise Financial Services acct. 319197158133;
- e. All funds and holdings up to \$94,468.99 at Ameriprise Financial Services acct. 762095073133;
- f. All funds and holdings, with a last known balance of \$1,904,177.21, at Northland Securities, Inc. acct. 76T-257021;
- g. All funds and holdings, with a last known balance of \$916,826.01, at Northland Securities, Inc. acct. 76T-262781;
- h. Real property identified as 29 Township: 20N Range: 21W T20N R21W SEC 29 LAREDO VILLAGE UNIT 1 TRACT 4047-A BLK 3 LOT 23 CONT, assessor's # 213-26-067, located at 2873 Grandhill Road, Bullhead City, AZ;
- i. Real property identified as the West One-half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Fourteen (14), Township One Hundred Seven (107), Range Thirty-nine (39), Murray County, Minnesota, located at 161st St. Dovray, Minnesota (Parcel ID Nos. 06-014-0030 and 06-014-0020 (80 acres from Lindstrom));
- j. Real property identified as the Southeast Quarter (SE $\frac{1}{4}$) of Section 2, Township 107 North, Range 36 West (Amboy Twp), Cottonwood County, Minnesota (Parcel ID No. 01-002-0400) (160 acres from Richardson);
- k. Real property identified as Part of the Southwest Quarter of Section 4, Township 107 North, Range 34 West in Selma Township, Cottonwood County, Minnesota, described as follows: Beginning at an existing iron monument at the northwest corner of the Southwest Quarter of Section 4; thence south 00 degrees 48 minutes 01 seconds west, bearing based on Cottonwood County Coordinate System, along the west line of said Southwest Quarter and along the centerline of the Township Road, as exists, a distance of 67.46 feet, to the point of beginning; thence south 61 degrees 07 minutes 45 seconds east a distance of 1785.86 feet; thence south 70 degrees 42 minutes 55 seconds east a distance of 278.64 feet; thence south

87 degrees 20 minutes 40 seconds east a distance of 265.84 feet; thence north 89 degrees 57 minutes 10 seconds east a distance of 556.11 feet, to the east line of said Southwest Quarter; thence north 00 degrees 33 minutes 36 seconds east, along said east line a distance of 1075.19 feet, to the northeast corner of said Southwest Quarter; thence south 89 degrees 06 minutes 18 seconds west, along the north line of said Southwest Quarter, a distance of 2658.46 feet, to the point of beginning;

and

Part of the Southwest Quarter of the Southwest Quarter of Section 4, Township 107 North, Range 34 West in Selma Township, Cottonwood County, Minnesota, described as follows: Commencing at an existing Iron monument at the southwest corner of the Southwest Quarter of Section 4; thence north 00 degrees 48 minutes 01 seconds east, bearing based on Cottonwood County Coordinate System, along the west line of said Southwest Quarter and along the centerline of the Township Road, as exists, a distance of 544.12 feet, to the point of beginning; thence continuing north 00 degrees 48 minutes 01 seconds east, along said west line and said centerline, a distance of 1948.17 feet; thence south 60 degrees 55 minutes 55 seconds east a distance of 1745.34 feet; thence south 67 degrees 52 minutes 28 seconds east a distance of 276.84 feet; thence south 87 degrees 20 minutes 01 seconds east a distance of 303.61 feet; thence south 88 degrees 47 minutes 03 seconds east a distance of 473.29 feet; thence south 01 degrees 35 minutes 42 seconds west a distance of 701.20 feet; thence south 00 degrees 24 minutes 20 seconds west a distance of 777.62 feet, to the south line of said Southwest Quarter; thence south 89 degrees 10 minutes 19 seconds west, along said south line a distance of 2043.47 feet; thence north 00 degrees 48 minutes 01 seconds east, parallel with the west line of said Southwest Quarter, a distance of 521.83 feet; thence north 88 degrees 23 minutes 42 seconds west a distance of 524.84 feet, to the point of beginning;

(Parcel ID Nos. 14-004-0402 and 14-004-0403) (146 acres from Lingbeek);

- l. Real property identified as the West Half of the Northwest Quarter (W $\frac{1}{2}$ of NW $\frac{1}{4}$), Section Eleven (11), Township One Hundred Eight (108), Range Thirty-six (36), Cottonwood County, Minnesota (Parcel ID No. 07-011-0100) (80 acres from Davis);
- m. John Deere 2230-FH Floating Hitch 5-Section Field Cultivator, 11-ft center frame, 60 ft, 6 in., vehicle identification no. (VIN) 1N02230FCJ0775318;
- n. John Deere 9620RX Tractor, VIN 1RW9620RCJP805434;

- o. John Deere 760FD-HydraFlex 30 ft. Centered Flexible Draper Cutting Platform (Model Year 2019), VIN 1H0730FDCK0805072;
- p. John Deere S770 Combine – HX (Model Year 2019), VIN 1H057705KK0805284;
- q. John Deere 5125R Utility Tractor – FT4, VIN 1LV5725RAKK450355;
- r. John Deere XUV835R (Model Year 2019), VIN 1M0835RACKM021806;
- s. John Deere 712FC 12-Row Folding Corn Head – 30 in., VIN XF712FCLLC810151;
- t. 375 J&M Seedtender;
- u. 60' Zoske's Rotary Hoe, Double Fold;
- v. 2016 Freightliner Cascadia 125, VIN 3AKJGEDV1GSGS6944;
- w. 2016 Freightliner Cascadia 125, VIN 3AKJGEDV3GSGS6;
- x. 2021 GMC Sierra 1500, VIN 3GTU9FEL1MG131470;
- y. 2020 GMC Yukon XL, VIN 1GKS2CKJ6LR110016;
- z. 2014 Chevrolet Corvette Convertible, VIN 1G1YM3D73E5121169;
- aa. 2016 Chevrolet Corvette Convertible, VIN 1G1YU3D65G5605774;
- bb. 2016 Chevrolet Silverado, VIN 3GCUKTEC6GG214996;
- cc. 2016 Polaris Turbo Vel Blue RZR, VIN 3NSVDE92XG455315;
- dd. Great Plains CTA4500 Air Drill, Serial #: GP-C1008Y;
- ee. Great Plains 2350 Air Cart, Serial #: GP-A1405T;
- ff. 2016 Maurer Aluminum Grain Cart, ID no. 57CKG4028GS000266;
- gg. Model 1550 Tridem Grain Cart Serial #: 10709 0920;
- hh. John Deere 8320R tractor, VIN 1RW8320RTEP092670; and

ii. John Deere 8295R tractor, VIN 1RW8295RAJD131931

(collectively “the Property”);

4. the Defendant shall receive a credit against the \$19,673,794.00 money judgment forfeiture for the net forfeited value of each asset that is forfeited from him in connection with this case;

5. the Attorney General or his authorized designee may seize and maintain custody and control of the Property pending the entry of a Final Order of Forfeiture;

6. the United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c), publish and give notice of this Order and its intent to dispose of the Property in such manner as the Attorney General may direct;

7. pursuant to Fed. R. Crim. P. 32.2(b)(3) and (c)(1)(B), and 21 U.S.C. § 853(m) the United States may conduct discovery to identify property subject to forfeiture under the terms of this order, or to address any factual issues raised by a third-party petition filed pursuant to Fed. R. Crim. P. 32.2(c);

8. pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

9. following the Court’s disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the Property and may warrant good title to any subsequent purchaser or transferee; and

10. this Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: October 6, 2023

s/ Katherine M. Menendez
KATHERINE M. MENENDEZ
United States District Judge